IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3257 OF 2006

1. Vasant Hanumant Mudgal & Ors. .. Petitioners.

V/s.

Municipal Council, Mangalwedha & Anr. .. Respondents.

Mr.S.S.Patwardhan for the Petitioners.

Mr.S.M.Oak for the Respondents.

CORAM : R.M. SAVANT, J.

DATED : 08th JUNE, 2007.

P.C.:

. This petition impugns the order dated 28th March, 2006 passed by the II Additional Dist.Judge, Pandharpur by which order the petitioners appeal has been dismissed and the order passed by the trial court granting injunction has-been confirmed. The dispute concerns the laying of municipal drainage line in the jurisdiction of the respondent No.1 Council.

2. Both the courts below have considered the relevant facts and have come to a conclusion that the drainage ought to be constructed as the same is in the public interest and that the petitioners i.e. original plaintiffs cannot direct the respondent No.1 to construct the drainage in a particular manner. On

perusing the impugned order, I do not find any error committed by the courts below so as to interfere under Article 227 of the Constitution of India. Hence, the petition is dismissed.

(R.M.SAVANT,J.)

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